

Serial No.: 10/777,343
Docket No.: ECV-5622CON
Amendment dated November 3, 2005
Responsive to Office Action dated September 6, 2005

Amendments to the Drawings:

Fig. 1 has been corrected by replacing character number "72" with "12" as required by the Examiner. Replacement Sheet 1/7 and annotated sheet 1/7 are attached.

Please note that because this amendment is submitted via facsimile, a letter with just
5 **the drawing sheets and a cover will be mailed concurrently.**

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REMARKS

Claims 1-16 and 18-42 remain pending.

The undersigned wishes to thank Examiner Prebilitic for a courteous and productive telephone interview on November 1, 2005. The various amendments shown above were generally
5 discussed, as well as the differences between the claims and the primary cited reference.

The drawings are objected to because of the duplication of reference character "72". Accordingly, a drawing sheet with new Fig. 1 is attached hereto as well as a marked-up copy showing the change made.

The specification is objected to because of a misspelling in paragraph [0034].
10 Accordingly, correction has been made as indicated above.

Claims 4, 5, 7, 9, 10, 11, 20, 22, 24-26, 30-32, 35, and 37-39 are objected to for various informalities. These have been corrected as indicated above.

Claims 1-4, 9, 13-16, 18-20, 24, 28-30, 33, 34, 37, 41, and 42 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,210,432 to Solem, et al. In contrast to
15 the method claims, Solem, et al. does not disclose or suggest physically attaching an annuloplasty ring to a heart valves annulus, but instead discloses a method for treating mitral insufficiency in which a device is inserted into the coronary sinus surrounding the mitral valve. As was discussed in the interview, and to further distinguish Solem, et al., the claims have been amended to include the step of positioning the annuloplasty ring within the heart valve annulus. This is clearly not
20 shown or suggested by the disclosure of Solem, et al. Accordingly, applicant believes that claims 4, 5, 7, 9, 10, 11, 20, 22, 24-26, 30-32, 35, and 37-39 are allowable over Solem, et al.

Likewise, Applicant believes that claims that depend from independent claims 1, 16, 30, and 37 are now also allowable. Furthermore, all of the rejections under 35 U.S.C. §103 were based on Solem, et al. alone or in combination with one of several secondary references.
25 Applicant asserts that because of the reasons given above, Solem, et al. does not disclose or suggest alone or in combination any of the present claims. Accordingly, Applicant believes that all of the claim rejections under 35 U.S.C. §103 are obviated.

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Accordingly, Applicants assert that claims 1-16 and 18-42 are now in condition for allowance, and such action is solicited. If there is any further hindrance to allowance of the claims, the Examiner is encouraged to contact the undersigned.

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Respectfully submitted,

Date: November 3, 2005



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ANNOTATED SHEET SHOWING CHANGES

1/7

Fig. 1

